

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 904463	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/017831	International filing date (<i>day/month/year</i>) 24.11.2004	Priority date (<i>day/month/year</i>) 28.11.2003
International Patent Classification (IPC) or national classification and IPC B60K1/04, B62D25/20, H01M2/10		
Applicant TOYOTA JIDOSHA KABUSHIKI KAISHA		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2.	This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.	
3.	This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>2</u> sheets, as follows: <div><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</div> b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4.	This report contains indications relating to the following items: <div><input checked="" type="checkbox"/> Box No. I Basis of the report <input checked="" type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application</div>	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. I

Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 2-9 _____ as originally filed/furnished
- pages* 1 _____ received by this Authority on 29.03.2005 _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 2-9 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1 _____ received by this Authority on 29.03.2005 _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets fig. 1-13 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. II

Priority

1. ☐ This report has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:
- ☐ copy of the earlier application whose priority has been claimed (Rule 66.7(a)).
- ☐ translation of the earlier application whose priority has been claimed (Rule 66.7(b)).

2. ☐ This report has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rule 64.1). Thus for the purposes of this report, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

The inventions set forth in claims 1 to 3 are disclosed in the prior application that serves as the basis for claiming the rights of priority; consequently, the rights of priority that were claimed therefor are considered to be valid.

However, the inventions set forth in claims 4 to 9 are not disclosed or suggested in the prior application that serves as the basis for claiming the rights of priority, and are not obvious; consequently, the rights of priority that were claimed therefor are not valid.

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International application No.

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																					
1. Statement	<table><tbody><tr><td rowspan="2">Novelty (N)</td><td>Claims</td><td><u>1-9</u></td><td>YES</td></tr><tr><td>Claims</td><td><u></u></td><td>NO</td></tr><tr><td rowspan="2">Inventive step (IS)</td><td>Claims</td><td><u>6</u></td><td>YES</td></tr><tr><td>Claims</td><td><u>1-5, 7-9</u></td><td>NO</td></tr><tr><td rowspan="2">Industrial applicability (IA)</td><td>Claims</td><td><u>1-9</u></td><td>YES</td></tr><tr><td>Claims</td><td><u></u></td><td>NO</td></tr></tbody></table>	Novelty (N)	Claims	<u>1-9</u>	YES	Claims	<u></u>	NO	Inventive step (IS)	Claims	<u>6</u>	YES	Claims	<u>1-5, 7-9</u>	NO	Industrial applicability (IA)	Claims	<u>1-9</u>	YES	Claims	<u></u>	NO
Novelty (N)	Claims		<u>1-9</u>	YES																		
	Claims	<u></u>	NO																			
Inventive step (IS)	Claims	<u>6</u>	YES																			
	Claims	<u>1-5, 7-9</u>	NO																			
Industrial applicability (IA)	Claims	<u>1-9</u>	YES																			
	Claims	<u></u>	NO																			
2. Citations and explanations (Rule 70.7)	<p>Document 1: JP 2003-170748 A (Toyota Motor Corp.), 17 June 2003, fig. 1 to 2 (Family: none)</p> <p>Document 2: JP 2004-17808 A (Toyota Motor Corp.), 22 January 2004, fig. 1 to 3 (Family: none)</p> <p>Document 3: JP 2000-238541 A (Mazda Motor Corp.), 05 September 2000, fig. 1 to 2 (Family: none)</p> <p>The inventions set forth in claims 1 to 3 do not involve an inventive step in the light of documents 1 and 3 cited in the international search report. The invention disclosed in document 1 comprises a rocker that is provided to the side part of the floor panel. Meanwhile, the invention disclosed in document 3 comprises a battery pack that is provided to the floor panel at a location between a rocker and a tunnel that extends from the front part of the vehicle body to the back part of the vehicle body. Such being the case, it cannot be considered to be especially difficult to apply the floor panel disclosed in document 3 in the invention disclosed in document 1.</p> <p>The inventions set forth in claims 4, 5 and 9 do not involve an inventive step in the light of document 2 cited in the international search report. It cannot be considered to be especially difficult for a person</p>																					

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

skilled in the art to dispose the equipment at locations on the rear side of the vehicle relative to the battery unit in the invention disclosed in document 2.

The inventions set forth in claims 7 and 8 do not involve an inventive step in the light of documents 2 and 3 cited in the international search report. It would have been easy for a person skilled in the art to conceive of applying the floor panel disclosed in document 3 in the invention disclosed in document 2.

On the other hand, the invention set forth in claim 6 is not disclosed in any of the documents that are cited in the international search report, and would not have been obvious to a person skilled in the art.